

REMARKS/ARGUMENTS

Status of the claims

Claims 1, 3, 6 to 12, 36, 37, and 43 to 45, 47 to 55, and 57 to 72 were previously pending and presented for examination. Claims 3, 9, 57, and 72 are canceled without prejudice. Claims 1, 36, 52, 53, and 61 are currently amended. After entry of these amendments, claims 1, 3, 6 to 8, 10-12, 36, 37, and 43 to 45, 47 to 55, and 58 to 71 will be pending.

Claims 3, 9, 57 and 72 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 36, 37, 43-45 and 47 are allowed.

We thank the Examiner for indicating the allowable subject matter.

Claims 1,6-8, 10-12, 48-55 and 58-71 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Crouzet et al. in view of Bebee et al. and any of: Crellin et al., Carrasco et al., Sato et al. or Hartley et al.

Support for the amendments to the claims

Claims 1, 52, 53, and 61 were amended to delete members of their recombinase Markush groups and find support accordingly.

Claim 36 was amended to correct a typographical error in the font.

Accordingly, the Applicants believe the amendments to the claims add no new matter and respectfully request their entry.

Response to the rejection under 35 U.S.C. 103(a).

Without acquiescing on the merit and in the spirit of expediting examination, the Applicants have amended the base claims to set forth the subject matter deemed to be allowable. Accordingly, the Applicants respectfully request that this grounds of rejection be reconsidered and withdrawn.

With regard to the earlier obviousness-type double patenting concern over U.S. Patent No. 6,746,870 which concern is being held in abeyance, the Applicants will provide the

Appl. No. 10/721,980
Amdt. dated March 8, 2010
Reply to Office Action of December 8, 2009

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requested terminal disclaimer once the instant application is otherwise deemed to be in condition for an allowance.

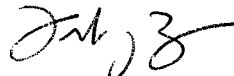
CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

Further, the Commissioner is hereby authorized to charge any additional fees or credit any overpayment in connection with this paper to Deposit Account No. 20-1430.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 925-472-5000.

Respectfully submitted,



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